

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

ANTHONY WAYNE HARDIGREE,

Plaintiff,

v.

STATHAM POLICE OFFICER MARC
LOFTON, individually, CITY OF
STATHAM, STATE TROOPER
GARRETT SMITH, individually,
and BARROW COUNTY SHERIFF'S
DEPUTY CHAD NORRIS, individually,

Defendants.

Civil Action
File No. 2:17-cv-236-RWS

**PLAINTIFF'S RESPONSE TO DEFENDANT CHAD NORRIS' FURTHER
MOTION TO DISMISS BROUGHT INITIALLY IN HIS REPLY BRIEF**

In Defendant Norris' reply brief in support of his motion to dismiss, Norris, for the first time, argues that the malicious prosecution claim against him should be dismissed. Plaintiff disagrees with the limited reasoning Norris deployed to reach that conclusion, to say nothing of the procedural impropriety of the timing. Nevertheless, Plaintiff does not contest Norris' requested relief, as Plaintiff has not brought a malicious prosecution claim against Defendant Norris. *See* Doc. 27, Second Amended Complaint, at 13 (asserting that claim against Defendant Marc Lofton only).

Respectfully submitted, this 11th day of May, 2018.

/s/ William J. Atkins
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State Bar No. 027060

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CERTIFICATION OF ELECTRONIC FILING

The undersigned hereby certifies the filing of this **Plaintiff's Response To Defendant Chad Norris' Further Motion To Dismiss Brought Initially In His Reply Brief** upon the parties and all counsel by the Court's Electronic Filing System.

This 11th day of May, 2018.

/s/Zack Greenamyre
Zack Greenamyre
Georgia Bar No. 293002